

Minutes of the Regular Meeting of the  
Ferris State University Board of Trustees  
Held on Friday, May 8, 2020  
Virtual Meeting

1. Call to Order and Roll Call

A Regular Meeting of the Ferris State University Board of Trustees was held on Friday, May 8, 2020 by web and teleconference. Chair Amna P. Seibold called the meeting to order at 1:31 p.m. In addition to Chair Seibold, the following individuals were present: Trustees Kurt A. Hofman, Lori A. Gwizdala, Robert J. Hegbloom, Ana L. Ramirez-Saenz, Kari L. Sederburg, Rupesh K. Srivastava and LaShanda R. Thomas; University President David L. Eisler; Provost and Vice President Paul Blake; University Vice Presidents David Pilgrim, James D. Bachmeier, Shelly L. Percy and Jeanine Ward-Roof; University Vice President and General Counsel Miles J. Postema; President of Kendall College of Art and Design Tara E. McCrackin; Board Counsel Frederic N. Goldberg; Secretary to the Board of Trustees Karen K. Huisman; and members of the University and area communities.

2. Hearing of the Public

No one responded to Chair Seibold's invitation to address the Board.

3. Administrative Reports

The following Administrative Reports were presented. Copies of written reports are located in the official file for this meeting:

- a. Academic Senate - Sandy Alspach, President, Academic Senate
- b. Finance – Jim Bachmeier, Vice President for Administration and Finance
- c. Strategic Plan Update - David Pilgrim, Vice President for Diversity and Inclusion
- d. Critical Success Factors – President Eisler
- e. Emergency Management Report – Jeanine Ward-Roof, Vice President for Student Affairs
- f. Charter Schools, Movement to Remote Delivery – Ron Rizzo, Director of Charter Schools

4a. Consent Calendar

It was moved by Trustee Sederburg, supported by Trustee Hegbloom, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following Resolution, as submitted on this date:

*“RESOLVED, that the Ferris State University Board of Trustees hereby approves the items contained in the Consent Calendar as presented in the appended documentation:*

- a. *Consent Calendar*

- b. Minutes of February 21, 2020
- c. Personnel Items”

4b. Appointments and Reappointments to the Boards of Directors of FSU-Authorized Charter School Academies

Director Rizzo provided an overview of this item. It was then moved by Trustee Gwizdala, supported by Trustee Hegbloom, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following Resolution, as submitted on this date:

*RESOLUTION*

*“WHEREAS, the Ferris State University (the ‘University’) Board of Trustees (the ‘University Board’) granted conditional approval to resolutions (the ‘Approval Resolution’) which conditionally authorized the execution of Contracts with the following public charter school academies (the ‘Academies’): Benton Harbor Charter School Academy, Conner Creek Academy East, Creative Technologies Academy, Huron Academy, Marshall Academy, Muskegon Montessori Academy for Environmental Change and New Bedford Academy; and,*

*WHEREAS, there are vacant positions on the Boards of Directors of Creative Technologies Academy, Marshall Academy and New Bedford Academy that need to be filled; and,*

*WHEREAS, the Ferris State University Charter Schools Office recommends the appointments of the following candidates for the terms indicated below:*

<i>Candidate</i>	<i>Academy</i>	<i>Recommendation</i>	<i>Recommended Term</i>
<i>Gena Jarosch</i>	<i>Creative Technologies Academy</i>	<i>Appointment</i>	<i>June 30, 2024</i>
<i>Sean Washington</i>	<i>Marshall Academy</i>	<i>Appointment</i>	<i>June 30, 2023</i>
<i>Stephen Williams</i>	<i>Marshall Academy</i>	<i>Appointment</i>	<i>June 30, 2021</i>
<i>Karen Moore</i>	<i>New Bedford Academy</i>	<i>Appointment</i>	<i>June 30, 2022</i>

*WHEREAS, the appointments for the board members listed below will expire on June 30, 2020; and,*

*WHEREAS, the Ferris State University Charter Schools Office recommends the reappointment of the following candidates for the terms indicated below:*

<i>Candidate</i>	<i>Academy</i>	<i>Recommendation</i>	<i>Recommended Term</i>
<i>Jean Nesbitt</i>	<i>Benton Harbor Charter School Academy</i>	<i>Reappointment</i>	<i>June 30, 2024</i>

David Chegash	Conner Creek Academy East	Reappointment	June 30, 2024
Jeffrey Duchene	Huron Academy	Reappointment	June 30, 2024
Janda VanDyke	Muskegon Montessori Academy for Environmental Change	Reappointment	June 30, 2024

*NOW THEREFORE BE IT RESOLVED, that the Ferris State University Board of Trustees hereby accepts the recommended slate of candidates for appointment and reappointment to the Boards of Directors of Benton Harbor Charter School Academy, Conner Creek Academy East, Creative Technologies Academy, Huron Academy, Marshall Academy, Muskegon Montessori Academy for Environmental Change and New Bedford Academy.”*

### 3c. Marshall Academy – Conditional 3-Year Contract Reauthorization

Director Rizzo provided an overview of this item. It was then moved by Trustee Srivastava, supported by Trustee Thomas, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following Resolution, as submitted on this date:

#### *RESOLUTION*

*“WHEREAS, the Ferris State University Board of Trustees (the ‘University Board’) granted conditional approval to a Resolution (the ‘Initial Resolution’) dated May 5, 2000, for Marshall Academy (the ‘Academy’), which conditionally authorized the execution of a contract with the Academy to charter an academy (‘Original Charter Contract’) and conditionally authorized the Chairperson of the University Board to execute the Original Charter Contract between the Academy and the University Board; and,*

*WHEREAS, on May 6, 2005 the University Board reauthorized the Academy for five years through June 30, 2010; and,*

*WHEREAS, on April 9, 2010 the University Board reauthorized the Academy for five years through June 30, 2015; and,*

*WHEREAS, on February 20, 2015 the University Board reauthorized the Academy for five years through June 30, 2020; and,*

*WHEREAS, in 2016 the Michigan Department of Education designated the Academy as a ‘Targeted Support School’ due to the academic performance gap between African American and Caucasian students; and,*

*WHEREAS, the Ferris State University Charter Schools Office (the ‘CSO’) assigned a member of the CSO School Support Team to examine instructional practices and issues that may have exacerbated the performance gap and to work with the Academy to address the matter; and,*

*WHEREAS, the CSO hired a consultant to the Academy's Board of Directors to develop a strategic plan since they did not have one; and,*

*WHEREAS, despite CSO efforts and because the performance gap continued to increase the CSO held two retreats with the Academy's leadership and Board of Directors and Midwest Management Group on March 25, 2019 and April 29, 2019; and,*

*WHEREAS, in the Fall of 2019 the CSO hired a consultant to conduct an independent review of the Academy as a part of the reauthorization process; and,*

*WHEREAS, on January 2, 2020 the consultant provided the CSO with a written comprehensive report of his findings. The report stated a general lack of cohesiveness among the Academy Board of Directors and the Academy's staff regarding the direction and vision of the Academy; and,*

*WHEREAS, on January 16, 2020 the CSO Director held a meeting with members of the Academy's leadership and Board of Directors, Midwest Management Group and CSO staff to discuss the report and the contract reauthorization of the Academy; and,*

*WHEREAS, on January 29, 2020 the CSO held a meeting with the Academy's leadership to discuss a conditional contract reauthorization which will require the Academy to submit a written Plan of Improvement (the 'POI') to the CSO by August 14, 2020. The POI must be a collaborative effort to include the input of the Academy's staff, Board of Directors, parents and students and Midwest Management Group; and,*

*WHEREAS, the Academy's POI must include a three-year strategic plan that addresses the reexamination of core values as it relates to all stakeholders, clear definition of classical education, educational equity for all groups of students and ensure all students feel safe from sexual harassment and bullying; and,*

*WHEREAS, the POI must also address the need to provide the Board of Directors with financial documents/information, progress report on the POI and board packet at least three days prior to a board meeting, the establishment of Board of Directors policies, the reiteration of roles and responsibilities of the Board of Directors, Academy leadership and staff and Midwest Management Group and measurable metrics for each year of the conditional contract; and,*

*WHEREAS, the University Board desires to reauthorize the Academy pursuant to the terms of a new contract to charter an academy ('New Charter Contract') in substantially the form provided to the University Board in connection with its consideration of this conditional reauthorization resolution (the 'Reauthorization Resolution') for three years through June 30, 2023; and,*

*WHEREAS, the University Board intends that the New Charter Contract shall supersede and replace the Original Charter Contract in all respects.*

NOW THEREFORE BE IT RESOLVED:

1. *The application for the reauthorization of Marshall Academy (the ‘Academy’) submitted to the Ferris State University Charter Schools Office (the ‘CSO’) for a term ending on June 30, 2023, is approved contingent upon the Academy Board approving the New Charter Contract (including without limitation the Terms and Conditions and all of the Schedules incorporated therein) and its execution, delivery and filing of the same in the name of and on behalf of the Academy.*
2. *The following requirements are in effect for the period of this Reauthorization:*
  - a. *This Reauthorization is conditional on the development of a written **Plan of Improvement** that is acceptable to the CSO. Such plan will address specific concerns regarding Academy performance issues noted by the CSO and referenced in the Marshall Academy Independent Review performed in fall 2019. The Plan of Improvement shall be submitted to the CSO no later than **August 14, 2020**.*
  - b. *The CSO shall respond in writing to the Plan of Improvement no later than August 21, 2020 indicating acceptance of the plan or requesting specific changes.*
  - c. *The Academy’s progress towards the Plan of Improvement will be monitored on an ongoing basis by the CSO for each of the contractual years, with a formal review meeting to occur **annually No Later Than June 30**. This review to be conducted by a team comprised of members the Academy Board of Directors, Administration, Management Company Representatives, and the CSO annually at a time mutually agreed upon by all parties. Any costs of such meeting shall be covered by the CSO.*
  - d. *Consideration for a recommendation of contract Renewal at the end of the proposed new contractual period (**June 30, 2023**) will be contingent on evidence of significant progress towards accomplishment of the Marshall Academy Plan of Improvement.*

*The University Board establishes the method of selection, length of term, number of members, qualification of members, the procedure for removal of members, and other matters pertaining to the Academy’s Board of Directors, as follows:*

- a. *Method of Selection. The University Board shall prescribe the methods of appointment for members of the Academy Board. Ferris State University’s Director of Charter Schools (‘CSO Director’) is authorized to administer the University Board’s academy board selection and appointment process (including a Public School Academy Board Member Questionnaire or School of Excellence Board Member Questionnaire or Strict Discipline Academy Board Member Questionnaire, as applicable, and required background checks), as provided below:*
  1. *The University Board shall appoint initial and subsequent members of the Academy Board of Directors by formal resolution, except as prescribed by*

*subparagraph (4) of this subparagraph (a). The CSO Director shall recommend nominees to the University Board based upon a review of the applicable Academy Board Member Questionnaire, required background checks and each nominee's resume. Each nominee shall be available for interview by the University Board or the CSO Director. The University Board may reject any or all Academy Board nominees.*

- 2. The Academy Board shall be provided an opportunity to nominate its subsequent members, by resolution and majority vote, except as provided herein. The Academy Board shall recommend at least one nominee for each vacancy. The Academy Board's nominees shall submit the applicable Academy Board Member Questionnaire for review by the Ferris State University Charter Schools Office ('CSO'). If the University Board elects not to appoint any of the Academy Board's nominees for a vacant position on the Academy Board or elects to make its own nomination(s), it may nominate and appoint an Academy Board member of its own choosing for that vacant position, or it may request additional nominees from the Academy Board.*
  - 3. An individual appointed to fill a vacancy created other than by expiration of the term shall be appointed for the unexpired term of that vacant position.*
  - 4. Under exigent conditions, and with the approval of the University Board's Chair, the CSO Director may appoint a qualified individual to the Academy Board. All appointments made under this provision must be presented to the University Board for final determination at its next regularly scheduled formal session. The University Board reserves the right to review, rescind, modify, ratify, or approve any appointments made under the exigent conditions provision.*
- b. Length of Term. Each member of the Academy Board shall serve at the pleasure of the University Board. The initial terms of the members of the Academy Board shall be staggered in a manner determined by the CSO Director, but no individual member's term shall exceed a period of four (4) years. The subsequent term of each member of the Academy Board shall be for a period of four (4) years. The terms for each position shall begin on July 1st and end on June 30th of the pertinent year.*
- c. Number of Directors. The number of board member positions on the Academy's Board of Directors shall be seven (7). The number of board member positions shall never be fewer than five (5) nor more than seven (7), as determined from time to time by the University Board. If the Academy Board fails to attain or maintain its full membership by making appropriate and timely nominations, the University Board or the CSO Director, may deem that failure an exigent condition.*

*A vacancy may be left on the initial Academy Board for a parent or guardian representative to allow sufficient time for the Academy Board to interview and identify potential nominees.*

*d. Qualifications of Members. To be qualified to serve on the Academy Board, a person shall, among other things: (1) be a citizen of the United States; (2) be a resident of the State of Michigan; (3) submit all materials requested by the CSO including, but not limited to, the applicable Academy Board Member Questionnaire which must include authorization to process a criminal background check of the nominee; and (d) submit annually a conflicts of interest disclosure as prescribed by the CSO.*

*The Academy Board shall include as a member (1) at least one parent or guardian of a child attending the Academy; and (2) one professional educator, preferably a person with school administrative experience. The Academy Board shall include representation from the local community in which the Academy serves.*

*The members of the Academy Board shall not include (1) any member appointed or controlled by another profit or non-profit corporation; (2) Academy employees or independent contractors performing services for the Academy; (3) any current or former director, officer, or employee of an educational management company that contracts with the Academy; and (4) Ferris State University officials or employees.*

*e. Oath. Before beginning his/her service, each member of the Academy Board shall take and sign the constitutional oath of office before a justice, judge, or clerk of a court, or before a notary public. The Academy shall cause a copy of such oath of office to be filed with the CSO. No appointment shall be effective prior to the taking, signing and filing of the oath of public office.*

*f. Removal of Members. The University Board may remove an Academy Board member with or without cause at any time by notifying the affected Academy Board member. The notice shall specify the date when the Academy Board member's service ends. Any Academy Board member may also be removed by a two-thirds (2/3) vote of the Academy Board for cause.*

*With the approval of the University Board Chair, the CSO Director may suspend an Academy Board member's service, if in his/her judgment the member's continued presence would constitute a risk to persons or property, or would seriously impair the operations of the Academy. Any suspension made under this provision must be presented to the University Board for final determination at its next regularly scheduled meeting. The University Board reserves the right to review, rescind, modify, ratify, or approve any suspension made under this provision.*

*g. Tenure. Each member of the Academy Board shall hold office until such member's replacement, death, resignation, removal or until the expiration of the term, whichever occurs first.*

*h. Resignation. Any member of the Academy Board may resign at any time by providing written notice to the Academy or the CSO. Notice of resignation will be effective upon receipt or at a subsequent time designated in the notice. Any Academy board member who fails to attend three (3) consecutive Academy board meetings, may, at the option of the Academy Board, the University Board, or the CSO Director, be deemed to have resigned, effective at a time designated in a written notice sent to the resigning Academy board member. A successor shall be appointed as provided by the method of selection adopted by the University Board.*

*i. Board Vacancies. An Academy Board vacancy shall occur because of death, resignation, removal, failure to maintain United States citizenship or residency in the State of Michigan, disqualification, enlargement of the Academy Board, or as specified in the Code.*

*j. Compensation. An Academy Board member shall serve as a volunteer director and without compensation for his/her services. By resolution of the Academy Board, the Academy Board members may be reimbursed for their reasonable expenses incidental to their duties as an Academy Board member.*

*k. Current Members of the Board of Directors. The University Board re-confirms the appointments of the following persons to their existing terms set forth below as members of the Academy's Board of Directors:*

*Patti Cornwell  
18935 15 ½ Mile Road  
Marshall, MI 49068  
Term Ending: June 30, 2021*

*Lonnie Newland  
217 Circle Drive  
Marshall, MI 49068  
Term Ending: June 30, 2022*

*Heather Weberling  
551 N. Madison Street  
Marshall, MI 49068  
Term Ending: June 30, 2022*

*Kasey Williams  
11415 18 ½ Mile Road  
Marshall, MI 49068  
Term Ending: June 30, 2024*

*Vacant  
Term Ending: June 30, 2020*

*Vacant  
Term Ending: June 30, 2023*

*Vacant  
Term Ending: June 30, 2020*

3. *The University Board hereby approves the New Charter Contract in substantially the form provided to the University Board in connection with its consideration of this Reauthorization Resolution, and upon being presented with the counterpart of*

*the same that has been fully executed by a duly authorized representative of the Academy Board in its name and on its behalf, the President of the University, or his designee, is hereby authorized to execute the same in the name of and on behalf of the University Board, and the New Charter Contract shall thereupon take immediate effect and supersede and replace the Original Charter Contract in all respects.”*

4d. Drive One Career Technical High School – Conditional Authorization

Director Rizzo provided an overview of this item. It was then moved by Trustee Hegbloom, supported by Trustee Srivastava, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following Resolution, as submitted on this date:

*RESOLUTION*

*“WHEREAS, the Michigan Legislature has provided for the establishment of public school academies as part of the Michigan Public School System by enacting Act No. 362 of the Public Acts of 1993; and,*

*WHEREAS, according to this enacted law, the Ferris State University Board of Trustees (‘University Board’), as the governing board of a State public university, is an authorizing body empowered to issue contracts to organize and operate public school academies; and,*

*WHEREAS, Act No. 362 of Public Acts of 1993 has been ruled constitutional by the Michigan Supreme Court; and,*

*WHEREAS, the Michigan legislature has mandated that public school academy contracts be issued on a competitive basis taking into consideration the resources available for the proposed public school academy, the population to be served by the proposed public school academy, and the educational goals to be achieved by the proposed public school academy; and,*

*WHEREAS, the University Board has developed the following three (3) principles to guide its work in authorizing public school academies: compatibility and congruence of the academy’s educational program with the University mission; financial unnecessary risk; and curriculum and program quality for the academy that will reflect positively on the University; and,*

*WHEREAS, the University Board has received applications from organizing public school academies and reviewed the applications according to the provisions set forth by the Michigan Legislature and the University’s principles for authorizing public school academies; and,*

*WHEREAS, the University Board contracts to charter public school academies under Part 6a of the Revised School Code (‘Code’).*

*WHEREAS, since 2012 the Academy has operated as a 501(c)(3) non-profit organization providing career and technical education in partnership with Lake Shore Public Schools, South Lake Public Schools and Eastpointe Schools; and,*

*WHEREAS the Academy is the only school in Macomb County that offers high school alternative education with programs concentrating in automotive technology, welding, machining and building trades through classroom instruction, online learning and hands-on training; and,*

*WHEREAS, since September 2017 the Academy operates in a state-of-the-art 16,000 square foot facility located at 15900 Common Road Roseville, Michigan with four classrooms and automotive/welding/construction shop; and,*

*WHEREAS, over 20 community partners, such as Ford Motor Company, DTE, NASCAR, Ingersoll Rand and the Dale Earnhardt Foundation, have donated high quality equipment, tools and machinery to the Academy; and,*

*WHEREAS, the Academy's automotive technology curriculum is based on the National Automotive Technicians Education Foundation (NATEF) and Automotive Service Excellence (ASE) curriculum which provides students with the opportunity to gain certification in the automotive service industry, such as Electrical Technician, Lube Technician, Chassis and Brake Technician and Light Line Technician; and,*

*WHEREAS, the Academy's welding program is based on the American Welding Society (AWS) curriculum which provides students with the instruction and hands-on experience to obtain a welding certification from the State of Michigan; and,*

*WHEREAS, the Academy's machining program provides students with education and training using modern Computerized Numerical Control (CNC) machines and Computer Assisted Machining (CAM) software as well as provide a Master CAM Training program; and,*

*WHEREAS, the Academy's building trades program will provide students with an opportunity to collaborate with Macomb County Health and Human Services on the Tiny House Project where they will design and build residential homes for the community; and,*

**NOW THEREFORE BE IT RESOLVED:**

*1. That the application for Drive One Career Technical High School in Roseville, Michigan, was submitted under Section 502 of the Code, subject to the conditions set forth herein, appears consistent with the requirements of applicable law and the University Board principles for authorizing public school academies, and is therefore approved for a period of five years through June 30, 2025 contingent upon successful completion of the Charter School Office's application and school opening protocols;*

2. *The University Board establishes the method of selection, length of term, number of members, qualification of members, the procedure for removal of members, and other matters pertaining to the Academy’s Board of Directors, as follows:*

*a. Method of Selection. The University Board shall prescribe the methods of appointment for members of the Academy Board. Ferris State University’s Director of Charter Schools (‘CSO Director’) is authorized to administer the University Board’s academy board selection and appointment process (including a Public School Academy Board Member Questionnaire or School of Excellence Board Member Questionnaire or Strict Discipline Academy Board Member Questionnaire, as applicable, and required background checks), as provided below:*

- 1. The University Board shall appoint initial and subsequent members of the Academy Board of Directors by formal resolution, except as prescribed by subparagraph (4) of this subparagraph (a). The CSO Director shall recommend nominees to the University Board based upon a review of the applicable Academy Board Member Questionnaire, required background checks and each nominee’s resume. Each nominee shall be available for interview by the University Board or the CSO Director. The University Board may reject any or all Academy Board nominees.*
- 2. The Academy Board shall be provided an opportunity to nominate its subsequent members, by resolution and majority vote, except as provided herein. The Academy Board shall recommend at least one nominee for each vacancy. The Academy Board’s nominees shall submit the applicable Academy Board Member Questionnaire for review by the Ferris State University Charter Schools Office (‘CSO’). If the University Board elects not to appoint any of the Academy Board’s nominees for a vacant position on the Academy Board or elects to make its own nomination(s), it may nominate and appoint an Academy Board member of its own choosing for that vacant position, or it may request additional nominees from the Academy Board.*
- 3. An individual appointed to fill a vacancy created other than by expiration of the term shall be appointed for the unexpired term of that vacant position.*
- 4. Under exigent conditions, and with the approval of the University Board’s Chair, the CSO Director may appoint a qualified individual to the Academy Board. All appointments made under this provision must be presented to the University Board for final determination at its next regularly scheduled formal session. The University Board reserves the right to review, rescind, modify, ratify, or approve any appointments made under the exigent conditions provision.*

*b. Length of Term. Each member of the Academy Board shall serve at the pleasure of the University Board. The initial terms of the members of the Academy Board shall be staggered in a manner determined by the CSO Director, but no*

*individual member's term shall exceed a period of four (4) years. The subsequent term of each member of the Academy Board shall be for a period of four (4) years. The terms for each position shall begin on July 1st and end on June 30th of the pertinent year.*

*c. Number of Directors. The number of board member positions on the Academy's Board of Directors shall be seven (7). The number of board member positions shall never be fewer than five (5) nor more than seven (7), as determined from time to time by the University Board. If the Academy Board fails to attain or maintain its full membership by making appropriate and timely nominations, the University Board or the CSO Director, may deem that failure an exigent condition.*

*A vacancy may be left on the initial Academy Board for a parent or guardian representative to allow sufficient time for the Academy Board to interview and identify potential nominees.*

*d. Qualifications of Members. To be qualified to serve on the Academy Board, a person shall, among other things: (1) be a citizen of the United States; (2) be a resident of the State of Michigan; (3) submit all materials requested by the CSO including, but not limited to, the applicable Academy Board Member Questionnaire which must include authorization to process a criminal background check of the nominee; and (d) submit annually a conflicts of interest disclosure as prescribed by the CSO.*

*The Academy Board shall include as a member (1) at least one parent or guardian of a child attending the Academy; and (2) one professional educator, preferably a person with school administrative experience. The Academy Board shall include representation from the local community in which the Academy serves.*

*The members of the Academy Board shall not include (1) any member appointed or controlled by another profit or non-profit corporation; (2) Academy employees or independent contractors performing services for the Academy; (3) any current or former director, officer, or employee of an educational management company that contracts with the Academy; and (4) Ferris State University officials or employees.*

*e. Oath. Before beginning his/her service, each member of the Academy Board shall take and sign the constitutional oath of office before a justice, judge, or clerk of a court, or before a notary public. The Academy shall cause a copy of such oath of office to be filed with the CSO. No appointment shall be effective prior to the taking, signing and filing of the oath of public office.*

*f. Removal of Members. The University Board may remove an Academy Board member with or without cause at any time by notifying the affected Academy Board member. The notice shall specify the date when the Academy Board member's service ends. Any Academy Board member may also be removed by a two-thirds (2/3) vote of the Academy Board for cause.*

*With the approval of the University Board Chair, the CSO Director may suspend an Academy Board member's service, if in his/her judgment the member's continued presence would constitute a risk to persons or property, or would seriously impair the operations of the Academy. Any suspension made under this provision must be presented to the University Board for final determination at its next regularly scheduled meeting. The University Board reserves the right to review, rescind, modify, ratify, or approve any suspension made under this provision.*

*g. Tenure. Each member of the Academy Board shall hold office until such member's replacement, death, resignation, removal or until the expiration of the term, whichever occurs first.*

*h. Resignation. Any member of the Academy Board may resign at any time by providing written notice to the Academy or the CSO. Notice of resignation will be effective upon receipt or at a subsequent time designated in the notice. Any Academy board member who fails to attend three (3) consecutive Academy board meetings, may, at the option of the Academy Board, the University Board, or the CSO Director, be deemed to have resigned, effective at a time designated in a written notice sent to the resigning Academy board member. A successor shall be appointed as provided by the method of selection adopted by the University Board.*

*i. Board Vacancies. An Academy Board vacancy shall occur because of death, resignation, removal, failure to maintain United States citizenship or residency in the State of Michigan, disqualification, enlargement of the Academy Board, or as specified in the Code.*

*j. Compensation. An Academy Board member shall serve as a volunteer director and without compensation for his/her services. By resolution of the Academy Board, the Academy Board members may be reimbursed for their reasonable expenses incidental to their duties as an Academy Board member.*

*k. Initial Members of the Board of Directors. Provided that each initial member submits a completed Academy Board Application, successfully completes a criminal background/record and reference check, and if requested to do so, participates in a mutually satisfactory personal interview with the University Board of Trustees or its designee, the University Board appoints the following seven (7) persons to serve as initial members of the Academy's Board of Directors:*

*Carolyn Dorian  
156 Linda Court  
Bloomfield Hills, MI 48304  
Term Ending: June 30, 2021*

*Anne Parker  
17878 Berg  
Detroit, MI 49068  
Term Ending: June 30, 2021*

*David Harwell  
9228 Creekway Drive  
Ypsilanti, MI 49068  
Term Ending: June 30, 2022*

*Kathy Vosburg  
47395 Sugarbush Road  
Chesterfield, MI 48047  
Term Ending: June 30, 2022*

*Vicki Holmes  
15835 Plainview  
Detroit, MI 48223  
Term Ending: June 30, 2023*

*Scott Wright  
729 Bliss Drive  
Rochester Hills, MI 48307  
Term Ending: June 30, 2023*

*David Okonoski  
244 Dean Lane  
Gross Pointe Farms, MI 48236  
Term Ending: June 30, 2024*

*3. That the University Board approves and authorizes the execution of a contract with the Academy, substantially in the form of the draft contract to charter a public school academy which has been provided to the University Board in connection with its consideration of this Resolution, and authorizes the President of the University, or his designee, to execute the contract to charter a public school academy and related documents between the Academy and the University Board, provided that, before execution of the contract and any related documents, the Director of Charter Schools determines that all terms of the contract and any related documents have been agreed upon, a completed final application has been received by the University, all of the conditions set forth herein have been complied with, and the Academy is able to comply with all terms and conditions of the contract and related documents. The conditions upon which this application is approved, and upon which the Academy is authorized, include, but are not limited to, the following:*

*a. The Academy's proposed school site must be approved for occupancy as a school by the Office of Fire Safety. Additionally, the proposed site must be made the subject of an environmental assessment and audit acceptable to the FSU Director of Charter Schools.*

*b. The Academy's proposed school site must be approved for occupancy by the local County Health Department and receive accessibility certification from the appropriate governmental authority.*

*c. The Academy must submit a completed and satisfactory Board Questionnaire for each Board nominee.*

*d. The Academy must obtain approval by the FSU Director of Charter Schools:*

*1. A management contract for the Academy between the Academy Board and a management company, if the Academy Board chooses one;*

2. *A signed lease agreement between the Academy and the owner of the proposed school site, or a deed of ownership by the Academy, together with a detailed plan of the proposed school facilities;*
  3. *A three-year projected budget which contains a full description of the financial resources available to the Academy for organizational and start-up purposes;*
  4. *Documentation supporting the availability to the school of \$150,000 for start-up funds;*
  5. *A list of quantifiably measurable educational goals and standards by which the Academy's goals will be monitored and held accountable, and an assessment plan by which the Academy's goals will be measured;*
  6. *A satisfactory curriculum outline, which shall include a plan for specific grade level curriculum elements as developed by certified instructional staff;*
  7. *A detailed description of the means by which the management company will be held accountable to the Academy Board for the day-to-day performance of its obligations under the management contract;*
  8. *A complete and specific school calendar that includes the required number of pupil instructional hours and staff development days.*
- e. This conditional approval and authorization extended to grades 9<sup>th</sup> through 12<sup>th</sup> grade. Any variation from this schedule must be approved by the University's Director of Charter Schools.*
4. *If the Academy fails to open and commence regular student instruction on or before September 8, 2020, the CSO Director will have the option to require that the Academy's opening be delayed for a period of up to one year from that date, as determined by the CSO Director, in his sole discretion."*

#### 4e. Degree Programs

Provost and Vice President Blake provided additional detail on the following items. It was then moved by Trustee Sederburg, supported by Trustee Ramirez-Saenz, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following two (3) Resolutions, as submitted on this date:

- 4e.1. New Program – Bachelor of Science in Biology, Pre-Physician Assistant Degree Program

#### *RESOLUTION*

*“WHEREAS, the College of Arts and Sciences proposes the creation of the Bachelor of Science in Biology, Pre-Physician Assistant (BIPA) degree program; and,*

*WHEREAS, this program is specifically designed to prepare students who are interested in applying for admission to Physician Assistant (PA) programs at the graduate level; and,*

*WHEREAS, the proposal does not require the addition of any new resources, and existing courses taught by current faculty who have the necessary expertise will ensure student success; and,*

*WHEREAS, the proposed Bachelor of Science in Biology, Pre-Physician Assistant Degree Program and curriculum have been reviewed and recommended for approval by the University Curriculum Committee, the Academic Senate, the Provost/Vice President for Academic Affairs, and the University President; and,*

*WHEREAS, it is the University’s intent to begin enrolling students in the Bachelor of Science in Biology, Pre-Physician Assistant Degree Program beginning with Fall Semester 2020; and,*

*WHEREAS, Board of Trustees’ approval is required to establish this new degree program, pursuant to Board-approved Academic Affairs – Programming Responsibilities policy, Section 3-201(1).*

*NOW THEREFORE BE IT RESOLVED that the Ferris State University Board of Trustees hereby approves the establishment of the Bachelor of Science in Biology, Pre-Physician Assistant Degree Program, as presented on this date, for implementation as of the Fall Semester 2020.”*

4e.2(i). Program Elimination: Associate of Applied Science in Professional Brew Management

#### *RESOLUTION*

*“WHEREAS, the College of Business proposes the elimination of the Associate of Applied Science in Professional Brew Management degree program; and,*

*WHEREAS, enrollment has been far less than expected due, in large part, to the competition posed by other new programs that have better equipment and facilities; and,*

*WHEEAS, with only one student incoming fall 2019 and limited resources, faculty are redirecting their efforts in order to bolster enrollments in other areas; and,*

*WHEREAS, the proposed closure of the Associate of Applied Science in Professional Brew Management degree program has been reviewed and recommended for approval by the University Curriculum Committee, the Academic Senate, the Provost/Vice President for Academic Affairs, and the University President; and,*

*WHEREAS, Board of Trustees' approval is required for this action, pursuant to Board-approved Academic Affairs – Programming Responsibilities policy, Section 3-201(2), as it relates to the elimination of an existing degree program.*

*NOW THEREFORE BE IT RESOLVED that the Board of Trustees hereby accepts the recommendation of the University President that the Associate of Applied Science in Professional Brew Management degree program be closed, as of the end of Academic Year 2019-20.*

*BE IT FURTHER RESOLVED that the Board of Trustees directs that no additional students shall henceforth be admitted to the Associate of Applied Science in Professional Brew Management degree program, and that arrangements shall be made for the timely completion of the program by students currently enrolled therein, all in accordance with applicable Board-approved policies and any pertinent provisions of the applicable collective bargaining agreement between the University and the Ferris Faculty Association, MEA/NEA.”*

4e.2(ii). Program Elimination: Associate of Applied Science in Nutrition and Food Service Management

#### RESOLUTION

*“WHEREAS, the College of Business proposes the elimination of the Associate of Applied Science in Nutrition and Food Service Management (NFSM) degree program; and,*

*WHEREAS, enrollment has consistently fallen short of expectations since its inception; and,*

*WHEREAS, due to the continued enrollment decline in addition to the challenges students face obtaining internships that meet the stringent requirements for Association of Nutrition and Foodservice Professionals approval, the Administration is recommending the closure of the NFSM, AAS degree and the NFSM Certificate; and,*

*WHEREAS, the proposed closure of the AAS, Nutrition and Food Service Management degree program has been reviewed and recommended for approval by the University Curriculum Committee, the Academic Senate, the Provost/Vice President for Academic Affairs, and the University President; and,*

*WHEREAS, Board of Trustees' approval is required for this action, pursuant to Board-approved Academic Affairs – Programming Responsibilities policy, Section 3-201(2), as it relates to the elimination of an existing degree program.*

*NOW THEREFORE BE IT RESOLVED that the Board of Trustees hereby accepts the recommendation of the University President that the Associate of Applied Science in Nutrition and Food Service Management (NFSM) degree program be closed, as of the end of Academic Year 2019-20.*

*BE IT FURTHER RESOLVED that the Board of Trustees directs that no additional students shall henceforth be admitted to the Associate of Applied Science in Nutrition and Food Service Management (NFSM) degree program, and that arrangements shall be made for the timely completion of the program by students currently enrolled therein, all in accordance with applicable Board-approved policies and any pertinent provisions of the applicable collective bargaining agreement between the University and the Ferris Faculty Association, MEA/NEA.”*

4f.1. Professional Services, Watermark Insights, LLC Digital Measures Contract Renewal

Provost and Vice President Blake provided an overview of this item. It was then moved by Trustee Gwizdala, supported by Trustee Thomas, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following Resolution, as submitted on this date:

*RESOLUTION*

*“WHEREAS, Digital Measures by Watermark Insights, LLC is an activity tracking system that enables efficient collection and reporting of teaching, advising, scholarship, research, service and professional development activity data for faculty and staff; and,*

*WHEREAS, the Board of Trustees approved in 2015 a five-year agreement for the utilization of Digital Measures; and,*

*WHEREAS, the University seeks to continue the utilization of Digital Measures to support processes and documentation related to credential/qualification guidelines from the Higher Learning Commission for faculty and staff; and,*

*WHEREAS, the University seeks to continue the utilization of Digital Measures to support automation of web profiles to showcase faculty and staff contact information and accomplishments in real-time; and,*

*WHEREAS, the University seeks to continue the utilization of Digital Measures to support reporting related to specialized accreditation program needs; and,*

*WHEREAS, the University seeks to continue the utilization of Digital Measures to support, in some colleges, the mechanism by which tenure, promotion and merit processes are conducted; and,*

*WHEREAS, expansion of Digital Measures to include Operational Staff is desired to support compliance with Higher Learning Commission expectations for documentation of staff qualifications; and,*

*WHEREAS, expansion of Digital Measures to include Kendall College of Art & Design is desired to ensure all faculty and programs have access to the activity tracking system; and*

*WHEREAS, the Office of Academic Affairs proposes the University enter into a three (3) year organizational subscription agreement with Watermark Insights, LLC for the continued utilization of Digital Measures to support and produce the evidence as indicated above; and,*

*WHEREAS, Board of Trustees' approval to move forward with this agreement is required pursuant to Board approved Purchasing policy, Section 4-205, Matters Reserved to the Board, as it relates to professional services contracts and Board-approved Contracting Policy, Sec. 4-103 and Sec. 4-115.*

*NOW THEREFORE BE IT RESOLVED that the Vice President for Administration and Finance, or his designee, is hereby authorized, upon legal review and in accordance with Board-approved policies, to enter into an organizational subscription agreement with Watermark Insights, LLC for the continued utilization of Digital Measures for the maintenance of faculty and staff records that reflect qualifications, research, scholarship, service, publications, and more, in an amount not to exceed \$170,000.00 for the three (3) year period, commencing June 15, 2020.*

*BE IT FURTHER RESOLVED that in accordance with the Board-approved policies, the requirement to provide a Request for Proposal is hereby waived.*

*BE IT FURTHER RESOLVED that funding for this agreement will be provided from a combination of the budgets from each college in the division of Academic Affairs, Office of Academic Affairs, Office of Student Affairs, and Kendall College of Art & Design.”*

#### 4f.2. Residential Laundry Services

Vice President Bachmeier provided an overview of this item. It was then moved by Trustee Gwizdala, supported by Trustee Ramirez-Saenz, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following Resolution, as submitted on this date:

#### **RESOLUTION**

*“WHEREAS, The Office of Housing & Residence Life of Ferris State University has identified a need and developed a plan to replace the Laundry Services for University Halls, Suites and Apartments; and,*

*WHEREAS, Office of Housing & Residence Life has evaluated their needs and has compiled the proposed plans; and,*

*WHEREAS, the Office of Housing & Residence Life has received proposals through the bid process and now requests authorization to enter into an agreement with the selected vendor, CSC ServiceWorks, for installation of leased equipment and servicing of University owned equipment for the Universities residence halls, suites and apartment buildings; and,*

*WHEREAS, contracting for these services requires Board approval, in accordance with the Board-approved Purchasing Policy, Section 4-205, Matters Reserved to the Board, as it relates to Professional Services Contracts, and Board-approved Contracting Policy, Section 4-103.*

*NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby authorizes President David L. Eisler, or his designee, to proceed with the negotiation of and entering into an agreement with CSC ServiceWorks for the Installation and Servicing of equipment for University residence halls, suites and apartment buildings of Ferris State University, upon legal review and in accordance with Board-approved policies, at a cost not to exceed \$554,247 for up to five years.*

*BE IT FURTHER RESOLVED that funding for this project will be provided from The Office of Housing and Residence Life.”*

4g. Slate of Candidates for the Ferris Foundation Board of Directors

Vice President Percy provided an overview of this item. It was then moved by Trustee Hofman, supported by Trustee Ramirez-Saenz, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following Resolution, as submitted on this date:

*RESOLUTION*

*“WHEREAS, Section 4.04 of the “Restated Bylaws of The Ferris Foundation” (hereinafter “Restated Bylaws”) provides that there will be a minimum of 13 and a maximum of 40 directors of The Ferris Foundation (hereinafter “Foundation”) Board of Directors (hereinafter “Directors”); and,*

*WHEREAS, the maximum allowable number of Directors has not yet been attained, allowing for the election of additional Directors pursuant to Section 4.05 of the Restated Bylaws; and,*

*WHEREAS, The Ferris Foundation Board has approved the slate of names for addition to the Board of Directors, consisting of one individual: Mr. Paul T. Doyle, of Grand Rapids, Michigan.*

*NOW THEREFORE BE IT RESOLVED, that the approved slate is hereby accepted by Ferris State University's Board of Trustees."*

5. Delay of New Degree Program Implementation at Kendall College of Art and Design

President McCrackin reported on the necessity to delay the launch of the Bachelor of Fine Arts in Product Design and the Associate of fine Arts in Design Studies programs until the Fall 2021 semester, due to changes in the accrediting body's revised review schedule due to COVID-19.

6. Hearing of the Public

No one responded to Chair Seibold's invitation to address the Board.

6. President's Report

President Eisler provided the following comments:

- Congratulations to the Board on the success of their first virtual meeting.
- Helping Students – our Student Hardship Fund currently has over \$103,000 in donations, setting out to help 1,100 students with this fund.
- We have received our CARES funding from the federal government, a little over \$5 million, which will be distributed to our students during the next week.
- Our faculty have done an extraordinary job in teaching remotely, and our students have adjusted remarkably to learning in new and different ways. They have become independently-driven, independently-organized learners.
- We appreciate the support of people for our students learning remotely and our entire university community which has worked remotely since March 24.
- Thanks to our Leadership Team who has worked at moving this forward, in difficult situations and changing circumstances, to help faculty and staff keep people safe and keep our university running.
- Many virtual ceremonies were held this week. It demonstrates that the spirit of education is not something that can be dampened by disease. But we are sad we are not with our students in person.
- This situation has made a difference not only for our university but in our communities, with people volunteering, making face guards and providing things to our local health care providers, some even volunteering as first line defenders.
- Thank you to the Board for your encouragement, support and active engagement today as we talked about the university and its collective future. It is always an honor and privilege to serve as your President.

7. Comments from the Board of Trustees

Chair Seibold provided the following comments:

- This is a fine example of *opportunity that comes with rapid change under duress*. The Zoom meetings have provided a great learning experience and the ability to connect with each other, and much better than a phone conference.
- I encourage everyone to look for those bright points during this crisis. These are helping us to drive positive change.
- I hope everyone takes the time to view the virtual ceremony. It is very inspiring.

Chair Seibold recited the following Proclamation from the Board of Trustees:

*“WHEREAS, the faculty of Ferris State University have successfully transitioned their classes and lab instruction to remote delivery, continuing to provide our students the high-quality education the University is known for; and*

*WHEREAS, the staff of Ferris State University have provided continued support for the University, faculty and students while working remotely, effectively managing this new work environment with great flexibility, adaptability and creativity; and*

*WHEREAS, the students of Ferris State University have persevered through this unprecedented Spring 2020 semester with indefatigable determination and resiliency, navigating their way through many changes and disruptions; and*

*WHEREAS, the alumni of Ferris State University have been supporting the fight against the coronavirus as first responders and healthcare workers, putting themselves at risk to save lives, while others continue to provide essential services in our communities across the state, nation and world; and*

*WHEREAS, the entire Ferris State University community has come together to support one another, support members of their communities in which they live, and given of their time and talents to make the world a better place during this extraordinarily challenging time.*

*NOW THEREFORE BE IT PROCLAIMED that it is with considerable pride that the Board of Trustees extend this special recognition to Ferris State University students, faculty and staff, and with great confidence in the University, its leaders and people, look forward to a successful year ahead. We are truly proud of all you have accomplished during this unprecedented time to move Ferris Forward and look forward to even greater things in our future.”*

Trustee Hofman provided the following comments:

“On behalf of the Board of Trustees, I want to thank you to President Eisler, the faculty, staff and especially the students for all the hard work put in during these incredible times. During these times, organizations either fail, survive or excel, and we on the Board want to be sure we put Ferris in the position to excel. Several Board members have college-aged students, and we realize what you are doing and how difficult it is for the students. And, as was already said, what we really have to focus on is that we make all the right decisions strategically going forward, to give the students the best education we can. They did not expect this situation, nor did we, nor do they deserve to be punished by it, so the decisions the university makes will be important to these young people’s lives. We want to support the university as a Board, and we

want to make sure you have all the resources and tools you need to continue to provide the education you are providing, and these young people get the education they deserve.

8. Reconfirmation of Next Meeting Date

The next regularly scheduled full Board meeting will be held on Friday, October 2, 2020. At this time it is unknown whether it will be in person or virtual, but the result will be posted on our website once the decision has been made.

9. Adjournment

At 2:23 p.m. Chair Seibold declared the meeting adjourned.

Submitted by:

Karen K. Huisman, RP  
Secretary to the Board of Trustees

Approved by the Board of Trustees:

October 2, 2020.